



February 14, 2006

ENGROSSED SENATE BILL No. 75

DIGEST OF SB 75 (Updated February 9, 2006 11:22 am - DI 14)

Citations Affected: IC 10-17; noncode.

Synopsis: Military family relief fund. Establishes the military family relief fund (fund) to provide grants for essential family support expenses to the families of Indiana residents who: (1) are members of the Indiana National Guard or the armed forces reserves; and (2) have been called to active duty after September 11, 2001. Allows the veterans' affairs commission to establish the eligibility criteria and application and selection procedures for the grants. Requires the director of veteran's affairs to report to the budget committee before August 1, 2006, on the grant determination procedures to be used. Permits the director of veteran's affairs or a member of the commission to make a request to the general assembly for an appropriation to the fund. Annually appropriates any money in the fund that is received from donations.

Effective: Upon passage; January 1, 2007.

**Long, Delph, Craycraft, Zakas,
Howard**

(HOUSE SPONSORS — BORROR, RESKE)

January 9, 2006, read first time and referred to Committee on Tax and Fiscal Policy.
January 19, 2006, amended, reported favorably — Do Pass.
January 23, 2006, pursuant to Senate Rule 33(c) technical corrections; engrossed.
January 24, 2006, read second time, ordered engrossed.
January 25, 2006, engrossed.
January 26, 2006, read third time, passed. Yeas 48, nays 0.

HOUSE ACTION

February 2, 2006, read first time and referred to Committee on Public Policy and Veterans Affairs.
February 13, 2006, reported — Do Pass.

ES 75—LS 6231/DI 113+



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February 14, 2006

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 75

A BILL FOR AN ACT to amend the Indiana Code concerning
veteran's affairs.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 10-17-1-6 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JANUARY 1, 2007]: Sec. 6. (a) The director
3 of veterans' affairs:

4 (1) is the executive and administrative head of the department of
5 veterans' affairs; and

6 (2) shall direct and supervise the administrative and technical
7 activities of the department;

8 subject to the general supervision of the commission.

9 (b) The duties of the director include the following:

10 (1) To attend all meetings of the commission and to act as
11 secretary and keep minutes of the commission's proceedings.

12 (2) To appoint, by and with the consent of the commission, under
13 this chapter and notwithstanding IC 4-15-2, the employees of the
14 department necessary to carry out this chapter and to fix the
15 compensation of the employees. Employees of the department
16 must be:

17 (A) honorably discharged veterans who have had at least six

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ES 75—LS 6231/DI 113+



(6) months service in the armed forces of the United States and who are citizens of the United States and Indiana; or

(B) spouses, surviving spouses, parents, or children of an individual described in clause (A).

An employee must qualify for the job concerned.

(3) To carry out the program for veterans' affairs as directed by the governor and the commission.

(4) To carry on field direction, inspection, and coordination of county and city service officers as provided in this chapter.

(5) To prepare and conduct service officer training schools with the voluntary aid and assistance of the service staffs of the major veterans' organizations.

(6) To maintain an information bulletin service to county and city service officers for the necessary dissemination of material pertaining to all phases of veterans' rehabilitation and service work.

(7) To perform the duties described in IC 10-17-11 for the Indiana state veterans' cemetery.

(8) To perform the duties described in IC 10-17-12 for the military family relief fund.

SECTION 2. IC 10-17-12 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2007]:

Chapter 12. Military Family Relief Fund

Sec. 1. As used in this chapter, "active duty" means full-time service in the:

- (1) armed forces; or
- (2) national guard;

for a period that exceeds thirty (30) consecutive days in a calendar year.

Sec. 2. As used in this chapter, "armed forces" includes the reserve components of the following:

- (1) The United States Army.
- (2) The United States Navy.
- (3) The United States Marine Corps.
- (4) The United States Air Force.
- (5) The United States Coast Guard.

Sec. 3. As used in this chapter, "commission" refers to the veterans' affairs commission established by IC 10-17-1-3.

Sec. 4. As used in this chapter, "department" refers to the Indiana department of veterans' affairs established by IC 10-17-1-2.

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1 **Sec. 5.** As used in this chapter, "director" refers to the director
2 of veterans' affairs.

3 **Sec. 6.** As used in this chapter, "fund" refers to the military
4 family relief fund established by section 8 of this chapter.

5 **Sec. 7.** As used in this chapter, "national guard" means:

- 6 (1) the Indiana Army National Guard; or
- 7 (2) the Indiana Air National Guard.

8 **Sec. 8. (a)** The military family relief fund is established to
9 provide assistance with food, housing, utilities, medical services,
10 basic transportation, and other essential family support expenses
11 that have become difficult to afford for families of Indiana
12 residents who are:

- 13 (1) members of the:
 - 14 (A) armed forces; or
 - 15 (B) national guard; and
- 16 (2) called to active duty after September 11, 2001.

17 **(b)** The department may expend the money in the fund
18 exclusively to provide grants for assistance as described in
19 subsection (a).

20 **(c)** The director shall administer the fund.

21 **Sec. 9. (a)** The fund consists of the following:

- 22 (1) Appropriations made by the general assembly.
- 23 (2) Donations to the fund.
- 24 (3) Interest as provided in subsection (c).
- 25 (4) Money transferred to the fund from other funds.
- 26 (5) Money from any other source authorized or appropriated
27 for the fund.

28 **(b)** The treasurer of state shall invest the money in the fund not
29 currently needed to meet the obligations of the fund in the same
30 manner as other public money may be invested. Interest that
31 accrues from these investments shall be deposited in the fund.

32 **(c)** Money in the fund at the end of a state fiscal year does not
33 revert to the state general fund or to any other fund.

34 **(d)** There is annually appropriated to the department all money
35 in the fund received from donations for the purposes of this
36 chapter.

37 **Sec. 10.** The commission may adopt rules under IC 4-22-2 for
38 the provision of grants under this chapter. The rules adopted under
39 this section must address the following:

- 40 (1) Uniform need determination procedures.
- 41 (2) Eligibility criteria.
- 42 (3) Application procedures.

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(4) Selection procedures.

(5) Coordination with other assistance programs.

(6) Other areas in which the department determines that rules are necessary to ensure the uniform administration of the grant program under this chapter.

Sec. 11. The director or a member of the commission may make a request to the general assembly for an appropriation to the fund.

SECTION 3. [EFFECTIVE JANUARY 1, 2007] (a) Notwithstanding IC 10-17-12-10, as added by this act, the director of veterans' affairs shall carry out the duties imposed on:

(1) the director of veterans' affairs; or

(2) the Indiana department of veterans' affairs; under IC 10-17-12, as added by this act, under interim written guidelines approved by the veterans' affairs commission.

(b) This SECTION expires on the earlier of the following:

(1) The date rules are adopted under IC 10-17-12-10, as added by this act.

(2) June 30, 2007.

SECTION 4. [EFFECTIVE UPON PASSAGE] The director of veterans' affairs, after consultation with the veterans' affairs commission, shall report to the budget committee before August 1, 2006, on the topics described in IC 10-17-12-10, as added by this act.

SECTION 5. An emergency is declared for this act.

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SENATE MOTION

Madam President: I move that Senator Delph be added as second author of Senate Bill 75.

LONG

 COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill No. 75, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 5.

Page 3, line 42, delete "trust".

Page 4, line 4, delete "Trust".

Page 4, line 26, delete "trust".

Page 4, line 30, delete "trust".

Page 4, line 32, after "other" insert "**essential family support**".

Page 5, delete line 1.

Page 5, line 2, delete "(2)" and insert "**(1)**".

Page 5, line 3, delete "(3)" and insert "**(2)**".

Page 5, line 4, delete "(4)" and insert "**(3)**".

Page 5, line 5, delete "(5)" and insert "**(4)**".

Page 5, line 6, delete "(6)" and insert "**(5)**".

Page 5, delete lines 8 through 9.

Page 5, line 10, delete "(c)" and insert "**(b)**".

Page 5, delete lines 14 through 16.

Page 5, line 17, delete "(e)" and insert "**(c)**".

Page 5, line 19, delete "(f) Except as provided by an enactment of the general assembly," and insert "**(d)**".

Page 5, line 20, delete "there" and insert "**There**".

Page 5, line 21, after "fund" insert "**received from donations**".

Page 5, between lines 32 and 33, begin a new paragraph and insert:

"Sec. 11. The director or a member of the commission may make a request to the general assembly for an appropriation to the fund."

Page 5, delete lines 33 through 35.

Page 6, after line 4, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE UPON PASSAGE] The director of

ES 75—LS 6231/DI 113+

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veterans' affairs, after consultation with the veterans' affairs commission, shall report to the budget committee before August 1, 2006, on the topics described in IC 10-17-12-10, as added by this act.

SECTION 5. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 75 as introduced.)

KENLEY, Chairperson

Committee Vote: Yeas 11, Nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure reports that pursuant to Senate Rule 33(c), the following technical corrections are to be made to Senate Bill 75.

Delete the title and insert the following:

"A BILL FOR AN ACT to amend the Indiana Code concerning veteran's affairs."

GARTON, Chairperson

(Reference is to SB 75 as printed January 20, 2006.)

SENATE MOTION

Madam President: I move that Senators Zakas and Howard be added as coauthors of Engrossed Senate Bill 75.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy and Veterans Affairs, to which was referred Senate Bill 75, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

STUTZMAN, Chair

Committee Vote: yeas 11, nays 0.

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